



HUDO Centre

**REPORT
ON
HUMAN RIGHTS SITUATION
IN
SOUTH KORDUFAN, BLUE NILE STATES/ SUDAN**

JANUARY-DECEMBER 2017

**Prepared by
HUDO Centre**

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Executive summary

There was a general reduction in violations and abuses in both states of South Kordufan (SK) and Blue Nile (BN) particularly BN state due to frequent announcements of cease fire by both warring parties. The period covered in this report is between January and December 2017. Some of the incidents have not been conclusively investigated and others like the court trials are still going on. The state of emergency in the two states under conflict has been on since 2011 as well as the status of insecurity.

The aim of this report is to bring to light the human rights violations and abuses in SK and BN states of Sudan (government territory) and the situation of Internal Displaced Persons (IDPs) from the two states with focus on religious rights.

The information included in this report was gathered by trained monitors using well prepared instruments that were developed under the supervision of HURICAP/ AI-NL and compiled by trained reporting panel. The report does not cover all incidents that occurred due to many challenges and limitations.

The violations and abuses included in this report are; arbitrary arrests and unlawful killing, Right to worship and other violations which were mainly carried out by Military Intelligence (MI), National Intelligence security Services (NISS) and Public Defense Force (PDF) and their failure to carry out investigations. This report also includes court observation notes for specific trials that have got the human rights aspect.

In the report's recommendation, both parties at war are called upon to consider and respect the international human rights laws, appealing to regional and international bodies to compel the Government of Sudan (GoS) to respect the international human rights and humanitarian laws.

Abbreviations

SK	South Kordufan
BN	Blue Nile
GoS	Government of Sudan
PDF	Public Defense Forces
IDPs	Internal Displaced Persons
SPLA-N	Sudan People Liberation Army – North
SPLM-N	Sudan People Liberation Movement- North
SPLA-IO	Sudan People liberation Army- in Opposition
MI	Military Intelligence
NISS	National Intelligence and Security Services
HURICAP	Human Rights Capacity Building Program
AI-NL	Amnesty International - Netherlands
AU	African Union
AI	Amnesty International
HRW	Human Rights Watch
SAF	Sudan Armed Forces
POP	Public Order Police
PS	Public Security
CIU	Criminal Investigation Unit
CSP	Community's Security Police
NCP	National Congress Party
SDG	Sudanese Genaih/ Pound

1 Section one: Introduction

1.1 Introduction

This report documents and highlights some violations and abuses that HUDO Centre managed to cover which took place in the government territories of South Kordufan (SK). The report also covers other few incidents that are mainly associated with the internally displaced people as well as the court trials from Khartoum state and religious rights. The report mainly covers the year 2017 and some related incidents in early 2018. The report is divided into three interrelated sections. The first one is introductory section which consists of brief background, the aim and objectives of the report, the scope of the report which consists of geographical and ethnic composition of the two states, the methodology used in gathering information/ data and the limitations and challenges faced while gathering information.

The second section is the body of the report which contains the incidents that took place followed by recommendations to all stakeholders and the last section contains the appendices for some topics mentioned in the report.

1.2 About HUDO

Human Rights and Development Organization (HUDO Centre) is an independent, non-government, non-partisan and non-profit making organization based in Kampala-Uganda. HUDO is currently undertaking monitoring of human rights situation, religious rights, freedom of expression, observing the related court trials among others. Our focus is on areas under the control of Sudan government in SK and BN States together with the IDPs from the two areas. HUDO also has a special program on refugee issues. In executing this task, HUDO trains human rights monitors based in SK and BN in order to improve their capacity to monitor, document and report on violations and abuses taking place.

Our Vision: A world where everyone's human rights are protected and fulfilled without discrimination

Our Mission: To champion universal access to rights based information and services to vulnerable and underserved communities through sustainable innovations, humanitarian support, strategic partnerships, rights empowerment, capacity building, research and advocacy.

1.3 A Brief Background

This year (2017), fighting and violations in the two areas (SK and BN) had relatively reduced mainly in the state of Blue Nile. This was attributed to the pressure from the international community (appendix – 1), the earlier talks between United States of America USA and Sudan government regarding lifting of economic sanctions against Sudan that was lifted on October 2017¹. The continuous ceasefire pronouncements by both Sudan government² and Sudan People Liberation Army-North (SPLA-N) reduced on the conflict. However the state of emergency declared on the two states is still going on.

Also, the pressure and the visit of the USA's deputy secretary of State contributed in significantly reducing the violations against Christians especially the Christ and Evangelical churches (appendix – 2). However, on 6th January 2018 the USA government included Sudan on the list of countries violating religious rights/freedom (Appendix - 3).

The other major aspect to be considered is the division/ factions within the SPLA-N since March 2017. This hindered the political development in terms of negotiations with the Sudan government and also caused divisions among civilians allied to SPLM-N. On the government territory, harassment of civilians affiliated to SPLM-N by security agencies reduced.

1.4 Statement of the problem

The general state of insecurity and violations persisted because SK and BN are still under the state of emergency “as declared by the president of Sudan in 2011”. Many atrocities like arbitrary arrests, torture, assault, detaining people incommunicado,

¹ <https://www.reuters.com/article/us-sudan-usa-sanctions/u-s-lifts-sudan-sanctions-wins-commitment-against-arms-deals-with-north-korea-idUSKBN1CB26Q>

² <https://www.dabangasudan.org/en/all-news/article/sudan-govt-declared-ceasefire-to-appease-us-opposition>
https://www.newvision.co.ug/new_vision/news/1456788/sudan-extends-ceasefire-conflict-zones

detaining civilians in military camps and other forms of violations have been committed by Police, SAF, PDF, NISS and MI. The violated rights included in this report are; security of persons, right to fair trial, rights of civilians within conflict areas, right to accommodation (unlawful eviction), religious rights, inhuman treatment like torture (both physical and psychological) among others.

The humanitarian situation in SK and BN has not been well since the war broke out in 2011. The IDPs and people in conflict areas have been targeted, harassed and arrested by security agencies who accuse them of associating with SPLA-N. Also many times people under detention have been denied their rights like medical access, family and lawyers' visits, though rule of law is lacking.

Whereas security officials committed crimes in different localities of SK and BN, they were not apprehended due to impunity and the unwillingness by authorities to fight injustice.

On religious freedoms, the activities of the church and Christians are closely monitored and interfered by the state. There are incidents where Christians' or church leaders' rights were infringed upon and other related incidences like Ministry of Endowment and Guidance intervened in matters or management of the church.

1.4.1 Aim

This report aims to bring to light the human rights violations and abuses in SK and BN states of Sudan (government territory) and the situation of IDPs from the two states.

1.4.2 Objectives

- To provide the United Nations' Human Rights Expert for Sudan, African Union AU, Amnesty International (AI), Human Rights Watch (HRW), the Diplomatic Missions/embassies in Sudan, institutes and individuals with information in order to enhance their efforts to compel the Government of Sudan to respect human rights.
- To lobby and engage the Sudanese Civil Society in the process of human rights advocacy.
- To study the human rights situation at the conflict zones of SK and BN in Sudan and come up with appropriate recommendations.

1.5 Scope of the report

1.5.1 Geographical scope

Sudan as a country consists of eighteen states and some of these states are under conflict particularly SK and BN. South Kordufan state consists of seventeen (17) localities, some are located within a territory controlled by SPLA-N and others are under government control. Blue Nile State consists of seven (7) localities under government control with the presence of SPLA-N in four (4) localities. The violations and abuses documented in this particular report took place in SK, BN, Aljazeera and Khartoum states.

This report covers the following towns and villages in SK State under the government control; Dilling town, Aldolaima and Hagar Jawad in Dilling locality; Aldebaibat town a capital of Algouz locality; Khor-Eldelaib and Alfaid Um-Abdalla village in Rashad locality; Abbasiya town, Alsobaq, Alsanadra, Soug Al-Jebel and Khorfadila villages in Al-Abbasiya locality; Umbrambeta and Abu-Kershola towns in Abu-Kershola locality; Kadogli town in Kadogli locality.

In Blue Nile state this report covers; Damazin town in Damazin locality; Bout town and Adham village in Tadhmon locality and Madinah (12) in Wadelmahi Locality.

Also the report highlights some incidents that took place out of SK and BN States especially targeting IDPs like in: Abu-Zabad, Lagawa, Alkasha and Lady village in West Kordufan State; El-Obeid town and Um-Rawaba towns in North Kordufan State; Musalamia in Aljazeera State; Khartoum, Omdurman and Khartoum North in Khartoum State.

1.5.2 Ethnic composition

South Kordufan/Nuba Mountains state is mainly inhabited by Nuba ethnic tribes, tribes of Arab origin and others like Fulani, Fur, Masaleit, etc. The Nuba and other African groups are mainly farmers (cultivators) whereas the Arab ethnic groups are generally cattle keepers. Blue Nile State is inhabited by both African ethnic groups and Arabs whose main activity is farming (cultivating and cattle keeping).

1.6 Methodology

There is a network of both field monitors and focal people who gathered information within the conflict areas and among IDPs. Field monitors managed to cover some

incidents from areas where they could gain access but not the entire geographic territory. Different methods of data collection and information gathering were applied. Information from the field was critically analyzed by a reporting panel at Kampala office. The panel used analytical methods to sort the information in order to arrive at accurate findings which were included in this report. For the purposes of consolidating this report, HUDO Centre also used the following methods in collecting and analyzing data/ information:

- 1) Data collection forms were developed/ used
- 2) Victims, their relatives and witnesses were interviewed
- 3) Documents and comments from professionals (Lawyers, Doctors etc) were verified
- 4) Official declarations were scrutinized

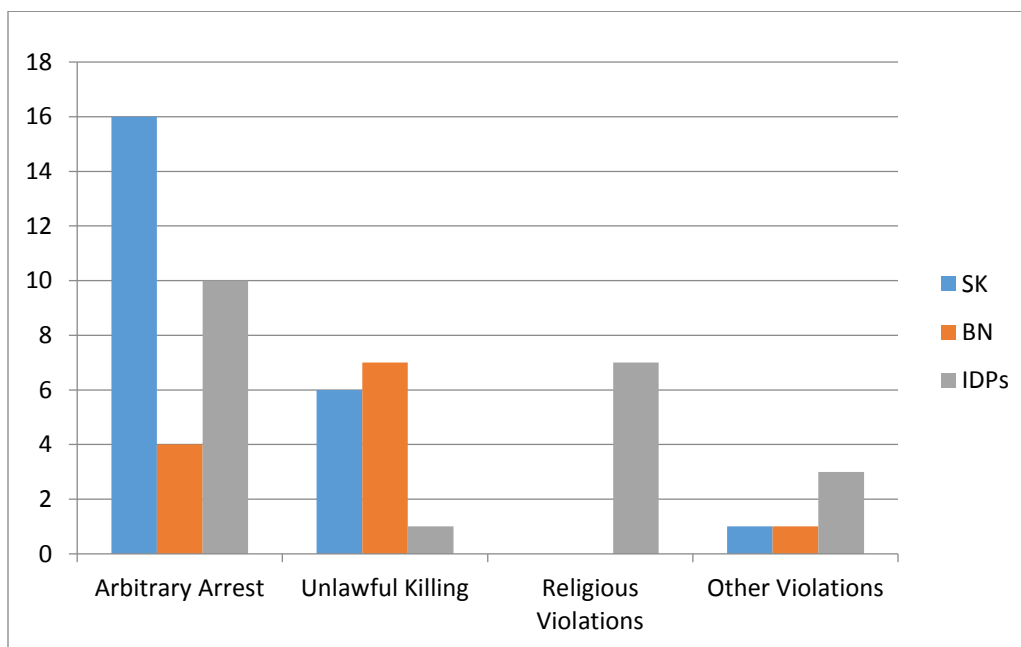
1.7 Limitations and challenges

- Due to security threats, some of the victims and witnesses do not easily reveal information
- Field monitors' effort to gather information was and is still hindered by the general state of insecurity in the conflict areas intensified by the government's imposition of state of emergency in the two states.
- The keen suspicion from security and intelligence agencies to anybody that talks about human rights.
- The number of monitors is limited in terms of geographic coverage and this implies that certain incidents happen without being noticed/ reported
- The withdraw (quitting) of some monitors which further reduces on number.
- Poor means of transport
- The general fear by the monitors in case the interviewed victims were subjected to torture and forced to reveal their (monitor's) identity.

2 Section Two: Incidents

Through the field monitors and focal people on the ground, HUDO managed to gather credible information about the incidents mentioned below. The violations and abuses were committed against unarmed civilians.

The Graph showing the Reported Human Rights Violations



2.1 Arbitrary Arrest

Arbitrary Arrest in South Kordufan

2.1.1 Arrest of four activists

On 27th January 2017, four social activists were arrested by NISS at Aldoliama police checkpoint. The detainees were sensitizing people about toxic effects of cyanide in the gold mines. The arrested activists were;

- 1) Khlalid Mohamed Madibo, 30 years, civil servant.
- 2) Almahi shabo, 36 years old, agricultural engineer.
- 3) AlsadigYagoob, 37 years, accountant.
- 4) Ahmmed Albahar, 38 years, Dilling university employee.

The detainees had been transferred to Adebaibat NISS office and they were accused of distributing posters. They were later released at midnight on the same day with a condition of reporting every day to NISS office which lasted for one month.

2.1.2 Arrest of a retired teacher

On 11th April 2017, Mr. Alsamani Osman Mahmoud, 50 years old, retired teacher was arrested by MI at a weekly market in Al-Abbasiya. He was taken to Al-Abbasiya military base and accused of associating with SPLA-N. That he communicates with some of their officers. He was later released on 29th May 2017 after assaulting him physically (beating) and psychologically (insulted).

2.1.3 Shooting and arrest of a farmer

On 6th May 2017, Hafiz Musa Alnour, a 25 years old farmer, was shot on his left leg and arrested by SAF in Dilling. He was taken to Dilling's Military custody and accused of transferring goods to SPLA-N area. The MI authority confiscated his motorbike, denied him proper healthcare, family visits and access to his lawyer. On 21st May 2017 he was transferred to Kadogli MI custody.

Mr. Hafiz was later released on 7th November 2017 in Kadogli after spending about six months incommunicado and without any legal ground or justification. He was released without any charges and the conditions of his release are not known. He was permitted to collect his motorbike and phone from NISS office in Dilling which were confiscated from him the day of his arrest.

2.1.4 Arrest of family members by Military Intelligence in Umbrambeta

On 4th July 2017, Mr. Shamsoun Tubra a 25 year old farmer, his wife Hawa Noureldin Mamoureya, 23 years old and his sister Khameesa Tubra, 21 years old were arrested by MI from his residence in Sheishan neighborhood of Umbrambeta. They first assaulted/ beaten Shamsoun before taking him together with his wife and sister to the military camp premises.

Four (4) armed SAF soldiers headed by a member of MI by name of Noureldaeim came to Shamsoun's house at 05:30 AM. They beat/assaulted Shamsoun as his family members and neighbors who came to find out watched. They accused him of spying because he had relocated from the SPLA-N territory to the government controlled territory. The arrest was therefore connected to the family's displacement.

Shamsoun and his family members were later released but on different dates. They were released with a condition not to talk to anybody about what transpired during their

detention. The sister Ms. Khameesa was released on 24th July 2017, his wife was also released on 26th September 2017 and Shamsoun himself was released on 27th September 2017.

2.1.5 Arrest and assault of a civilian by SAF in Khor–Eldalaib

On 29th July 2017, Mr. Mohammed Ghaboush Yasein 27 years old, a teacher by profession (graduate) who works as a trader in his home town was arrested by a group of four (4) Sudan Army Forces (SAF) in Khor-Eldelaib. He was suspected by SAF to be trading with SPLA-N. Mr.Ghaboush was first assaulted/ beaten before being taken to the military base of Khor-Eldelaib and he was later transferred to unknown place. No information about his whereabouts or release up to the time of publishing this report.

2.1.6 Arrest of five civilians by Military Intelligence (MI) personnel in Alfaid Um-Abdalla

On 2nd October 2017, a group of military intelligence (MI) personnel headed by captain named Altayeb came on three (3) land cruiser vehicles and arrested five family members in Elfaid Um-Abdallah. The arrested people included an underage/boy and all were accused of associating with SPLA-N.

The arrested people are; Mukhtar Badawi Adam Shaheer, 18 years old; Elsheikh Abdallah Alhasab Mohammed Shaheer, 17 years old; Hassan Albadawi Mohammed Shaheer, 23 years old; Alhasab Aldaw Alkhairi, 34 years old and Adam Aldaw Alkhairi, 52 years old. All the five are cattle keepers from Elfaid Um-Abdallah. They were assaulted/ beaten during the time of arrest, tied and put on the vehicles driven around the village market showing them to people and soon after they took them to Abu-Kershola MI office (50 km north Elfaid Um-Abdallah).

HUDO got reliable information that the detainees were transferred to El-Obeid MI custody except Adam Aldaw Alkhairi who was held at Abu-Kershola MI custody. They were held in isolation and denied family visits. They are suspected to be under torture and ill-treatment.

On 18 October 2017, Adam Aldaw Alkhairi was been released form Abu-Kershola MI custody

2.1.7 Arrest of a farmer

On August 2017, a 70 year old farmer by name of Ismail Mohammed Ali was arrested by MI in Al-sobaq village in Abbasiya Tagli. By the time of his arrest, he had gone to the areas under the SPLA/N control to attend his son's wedding. Ismail has got many family members that are spread out in the two areas which are under government and SPLA-N control.

Ismail was later transferred to Abbasiya MI office where he spent more than one month in detention. He was later released on 15th September 2017. After his release, he went back to Sobag village.

Arbitrary Arrest in Blue Nile

2.1.8 Assault of government employee

On 26th January 2017, at 10:00 AM, Adil Eisa Mohammed, 61 years old, an account manager was beaten by Mueez Mohamed Saeed a Popular Security³ (PS) personnel and detained him in his office at Damazin locality. He was assaulted because of his refusal to pay a financial request in line with exhausted budget for Alshaheed Organization⁴. He was later opened for (released) by work colleagues at 7:00 PM.

2.1.9 Arrest of community leaders

On 26th January 2017, the Angasana community leaders Mr. Ramadan Ismail (Ommda/ Mayor) and Mr. Eisa Malik (the Shaikh of kakar village) were both arrested by MI from their houses in Damazin.

The MI interrogated them about their refusal to convince the youth from their tribe (Angasana) to join the Rapid Support Force. They were later released on 10th February 2017 (after 14days) with no charges.

2.1.10 Arrest at Madinah (12)

On 12th March 2017, the MI in Damazin arrested Badri Ali Rajab, 35 years, civil servant from his house in Madinah (12). He was transferred to Damazin military headquarters where he was detained up to his release on 24th March 2017. He was arrested because

³ Popular Security is informal powerful security institution belong to the Islamic movement within the ruling party.

⁴ GONGOS

he could not allow them (MI) search his father's house with no search warrant and in his father's absence. He had been released without charges.

Arbitrary Arrest among IDPs

2.1.11 Arrest of teacher Saeed Abbas

On 5th December 2016, Saeed Abbas, 55 years old teacher, was arrested by NISS in Khartoum. His arrest was based on his political affiliation to SPLM-N. Many times NISS rejected requests from his family to visit him until 21st January 2017. He was released on 7th February 2017. However, Mr. Saeed was frequently arrested since the war broke out in South Kordufan in 2011 and instructed to report to NISS office which last for one month.

2.1.12 Arrest of students in Omdurman

On 23 July 2017, Jumaa Shabab Alhadi, 26 years old, and Idris Ismail Suliman, 25 years old, students at Ahliya University, were arrested by NISS from Mohandiseen neighbourhood in Omdurman town.

Earlier in the day, Jumaa had participated in a public speech at the Ahliya University. When he was going back home with friend Edris, four police men and other three in civilian clothes attacked and arrested them. They took them to Banat police station and beat (assaulted) them. A police officer ordered that, they should be taken back to security unit of Ahlyia University. They took them back to security unit of Ahlyia University and detained them in a small cell where they were assaulted with sticks.

After investigations by the University's security unit, they were released at 6:00PM on condition that they sign a declaration not to join or participate in any political activities at University.

2.1.13 Arrest of three activists in Khartoum

On 14th August 2017, three activists were arrested by NISS in Khartoum and taken to NISS office. They were arrested from their place of work near the International University of Africa. The names of the arrested people were;

- Mohammed Jadian Hamad Ali, 28 years old, worker, graduated from Khartoum University.

- Adam Alfadil Mohammed Yahya, 33 year old, graduated from University of Gezira.
- Esisa Mohammed Alomda Comodan, 26 years old, student in Blue Nile University.

On 13th August 2017 Mohammed was coming back to Khartoum from Sinnar town where he was invited by students of Sinnar University SPLM-N to give a speech about the current political situation in Nuba Mountains. On 14 August 2017, he was arrested with his workmates during a lunch break.

Six (6) NISS personnel with a vehicle violently arrested them (the three), detained them in a NISS cell of 2x2 meters. They interrogated them while torturing them both physically and psychologically/ discriminative insults. The three were released on 16th August 2017 on condition that they should stay at their work place and report every morning to NISS office at Riyadh neighborhood in Khartoum, the reporting went on for a period of one month.

2.2 Unlawful killing

Unlawful killing in South Kordufan

2.2.1 Murder of two children



Bodies of the two murdered Children

On 12th February 2017, a group of people defense forces PDF attacked and shot dead two children while they were grazing cattle at Khour-Fadila western Souq-Aljabel village. One child's ear was cut off. The deceased (children's) names are;

1. Abdelraheem Babikir Ishag, 10 years old.
2. Ali Denary, 12 years old.

The community members protested and took the dead bodies to Abbasiya hospital where they were buried. The parents/family of the killed children refused to take and bury the bodies in their homes before the arrest of the perpetrators.

The case was reported at Abbasiya police and filed as anonymous yet the perpetrators were recognized by the military group who were informed and had been following them soon after the incident. The perpetrators were not arrested and no further procedure was taken.

2.2.2 Killing and looting in Hagar Jawad village

On 14th May 2017, a group of militia headed by SAF Lieutenant Colonel/ Suliman Al-Al-Baesh came to Hagar Jawad village on five pickup vehicles. On arrival, they started to beat/ whip the residents randomly (regardless of age or gender). One person/ Suliman Abukalam was shot dead as he resisted (by fighting back) the violent acts of the militias. About thirty people were injured and valuable items were looted.

Usually, the militia troops from Dilling and Kadogli patrol the streets twice a day in order to secure the road. On 13th May 2017, the day before the incident, the troops met a man on motorbike and they chased him up to Hagar Jawad where he left his motorbike and hid. The troops confiscated his motorbike and accused the residents of hiding the suspected person. The second day the troops came from Dilling and attacked residents.

A case was filed in Dilling police after pressure from the victims against the troop and the lieutenant who was later put on suspension from his job.

2.2.3 Killing near Alkasha village

On 11th June 2017, Mahdi Mohammed Kabashi Abu-haleem, 26 years old farmer was shot dead by unknown person for unknown reason in a bush near Alkasha village which

is located southeast Abu-Zabad town. A case was registered at police in Abu-Zabad town against anonymous and no further investigations were held.

2.2.4 Murder in Lagawa

On 25th July 2017, four (4) farmers were killed while they were at their farms in Lady Village south Lagawa town. The suspected perpetrators were from Arab Messareya-Gazaya and the reason for killing was not established (unknown). The dead bodies were taken to Lagawa hospital and the case was reported and filed at Lagawa police after pressure from the relatives of the deceased and the public.

On 23rd July 2017, another civilian by names of Sediq Eltahir was also killed at his farm in Lagawa. All those victims are from Nuba tribes.

All cases were filed against anonymous and the police did not carry out further investigations yet the suspected people were known.

Unlawful Killing in Blue Nile

2.2.5 South Sudan rebels attack on civilian

On 15th June 2017, a group of soldiers from Sudan People Liberation Army – In Opposition (SPLA-IO)⁵ attacked cattle keepers in Adham village (23 km west of Bout town in Tadhmon locality). As a result five people died whereby they were tied and shot and their cattle were looted. By that time, some of the SPLA- IO troops were camped near Adham village (area of cattle keepers) in Blue Nile state of Sudan. The dead people are;

1. Ahmed Hamadelnil Alhassan, 30 years old, married.
2. Alsadiq Hamadelnil Alhassan, 25 years old, married.
3. Dafaalla Abdallah (wad Eldeiya), 29 years old, married.
4. Idris Albashir (Alraie), 25 years old, married.
5. Ahamed Jubara Ali, 26 years old, married.

In retaliation, the cattle keepers mobilized themselves and on 17th June 2017 they attacked SPLA-IO troops and killed nine (9) soldiers. After this incident, the Blue Nile state governor and the military commander in the state visited the area and they

⁵ It is South Sudanese opposition group headed by Riack Mashar

promised the cattle keepers (nomads) that the SPLA-IO troops shall be relocated from the area. Later in 2017, the troop was deported and relocated in Alteboun⁶ of White Nile State.

2.2.6 Murder of two community leaders in Blue Nile

On 29th June 2017, Ommda Ali Hussein Osman, 57 years old the Mayor/ Ommda of Fulani tribe in Tadhmon locality was shot dead by PDF soldiers in Bout.

29th June 2017, at 7: 00 PM in West of Bout town at the watering area (Hafira) which is owned by PDF and guarded by four PDF soldiers, there was an argument between Ommda Ali Hussein Osman, 57 years old, and the Tenant of Hafira Yousef Ali Hamoda to whom he had paid for his cattle to access the watering area for three days, in which the tenant denied the payment. Thereafter, Yousef Hamoda ordered the PDF soldiers to shoot Ommda Ali by saying “*shoot this Fulani man*”. They shot him dead immediately. One of the people (witness) who heard the gun shots and rushed to the scene was arrested and threatened not to say anything.

Later, the witness and victim’s family were threaten by PDF not to talk about the case. The political leaders deliberately held a meeting with community leaders in Damazin, representative of the governor/ Hussain Yasain, Funj community leader/ Al-fateh Yousif Hassan Adlan, Fulani Prince/ Mohammed Ahmed Tonfafi, Mairno Sultan/ Cheef and other PDF and security leaders, to settle the matter/case secretly without going to the courts of law but, Ommda/ Adam Ahmed Abaker started a legal process against the perpetrators.

On 7th July 2017, at 6:00 PM, at the same place, Ommda/ Adam Mohammed Abaker, was shoot dead. Residents linked this murder to the case/death of Ommda Ali Hussein. Adam Mohammed Abaker was mobilizing people and persuing a legal process in that murder case which was assigned to the lawyer Mr. Mohammed Al-haj against the PDF soldier who guarded Hafira on that day of the incident.

The PDF defendants in Ali’s murder are;

1. Yousif Ali Hamouda (Al-Dehaish)

⁶ Its southeast Elgabalein town nears the border with South Sudan.

2. Alkanan Abdalla Alkanan.
3. Dafalla Abdalla.
4. Alobaid Ali Hamouda.
5. Mohammed Abdalla Albasha.
6. Albasheir Alawad.
7. Sideeq Mubark.

Up to the time of writing this report, the authorities have not made it possible for the legal process to continue.

Unlawful Killing within IDPs

2.2.7 Death under torture

On 9th April 2017, Sabir Babo Ismail Agraf, 31 years old IDP from Nuba Mountain was arrested by Criminal Investigation Unit (CIU) at Aldoroshab in Khartoum North. He was accused of using a stolen phone. Later the Public Order Police (POP) found his dead body at a farm around Aldoroshab. The POP took the dead body to the morgue and the doctor's report indicated that he died as a result of severe beating (physical torture). A case was filed against anonymous and no further investigations were held.

2.3 Violations on the rights to worship (Religious Freedom)

2.3.1 Murder of teacher Younan and arrest of Christian leaders

	
Younan Abdalla Kambu	The subjected Evangelical School

On 4th April 2017, many Christians/ followers of the Evangelical Church gathered inside the school compound to oppose the sale of the school land to the investor by the former committee. The police had earlier surrounded the place in preparation of the handover event which was in contestation between the community, first (old) committee and second (new) committee.

Then Mr. Shamsoun Hamad Alaaras, a teacher (allied to second committee) climbed the school wall and attacked the gathered people with a knife while the police watched. He stabbed three people which resulted into the death of teacher/ Younan and the severe injuries to Pastor Farouq Anglo and Ayoub Camama (a church leader).

Some people were arrested and transferred to Omdurman central police where they were accused of public nuisance. However, Shamsoun who stabbed people ran away and was later arrested after pressure from the community.

The arrested people were;

- 1) Pastor/ Idris Crtina.
- 2) Mr. Gorge Adam (leader in church).
- 3) Mr. Juba adlaan (leader in church).
- 4) Mr. Homaida Kondar (leader in church).
- 5) Mr. Polis Toto (leader in church).
- 6) Mr. Osman Ibrahim
- 7) Mr. Dawood Musa.
- 8) Mr. Mujahid Anglo.
- 9) Mr. Hassan Hamdan.
- 10)Mr. Hassan Abu-shain.
- 11)Mr. Abdo Hassan.
- 12)Mr. Azhari Tambara Almalaki.
- 13)Sabri Hassan

They were released the following day on bail, except Mujahid Anglo who was released after ten days. Currently the criminal case against Shamsoun is going on at Khartoum Centre Court.

There were many court sessions and the last session was held on 21st January 2018, it concluded that, the court investigated the witnesses and is convinced to accuse the defendant with murder under Act 130 of Sudan criminal penal 1991. The murdered person allied with the first committee while the defendant supported the second one.

Background of the case

In the 2012 after cessation of South Sudan there was an extra ordinary meeting (general assembly) that was held with observation of state/government. The church committee was formed with scrutiny from the state/government under Ministry of Guidance and Endowments which approved the selection after ensuring that South Sudanese were excluded.

After one year, some members of the dissolved committee raised an objection to the ministry claiming that the assembly committed a forgery. The ministry accepted their claim and ordered them to form a new committee. The first committee (which the followers considered to be legitimate) raised some objections against the formation of the new committee by the ministry. Thereafter, the first committee went to court and got a supportive court decision.

Since then the conflict emerged between the two committees. The first committee supported by court and backed by the followers (church members) and the second one supported by the ministry backed by police and NISS.

2.3.2 Demolition of a church in Soba Aradi

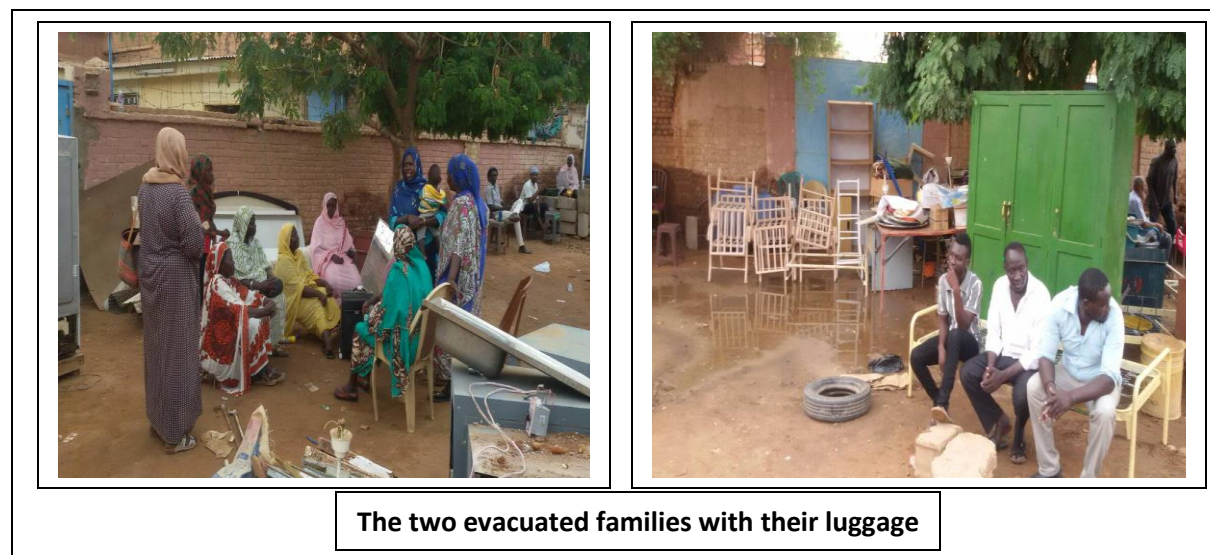


On Sunday 7th May 2017, personnel from Jebel Aulia locality together with officials from land authority, NISS and the combat riot police in Khartoum state of Sudan demolished the church in Soba Aradi. The reason given was that the church building had encroached on government land. This church was demolished when there is a pending (ongoing) case where the demolition order was earlier challenged and the case is before the administration court. However, there are many other churches that are threatened with demolishing (appendix – 4).

This church is one of Sudanese Christ Churches and it was established in 1989. Different Christian sects worshiped from it especially after the cessation of South Sudan when twelve other churches were demolished. The twelve churches were demolished between the years 2011 and 2015.

As demolition exercise went on, two people (Eng. Polos Salah and Mr. Nagi Abdalla) were arrested for taking photos/pictures and other reasons. For instance, police ordered them to break the locks of the church but they refused. They were later released after spending hours at the police cell.

2.3.3 Unlawful Eviction of Church Leaders' From Their Houses



On 14th August 2017, court police forced Pastor Yahya Abdurrahman, 44 years old, married with one child and Pastor Sediq Abdalla 43 years old, married with two children to vacate their two houses due to adjudication which was wrongfully implemented. The

families of the two pastors stayed on the roadside (open space) as police objected to their pleas and explanation. The police had presented a court order from the justice of Omdurman Centre Court instructing them to leave the premises/houses in favour of the investor Mr.Husham Hamadeneil.

Pastor/ Yahya Abdurrahman is the president (head) of the Presbyterian Evangelical Church Synods (Sudan). Pastor/ Sediq Abdalla is the vice president of the Presbyterian Evangelical Church Synods (Sudan). The Pastors' families live (reside) in the church at Mulazmein neighborhood of Omdurman town.

According to the court order from Justice of Omdurman Centre Court, the plot in question (to be vacated) was Plot 567 – square 3/4 at Isbitalia Neighborhood of Omdurman (appendix - 5). This was different from Plot 527 – square 3/6 and 514 – square 3/6 at Mulazmein neighborhood of Omdurman where Pastors' houses are located. The police could not consider the pastor's explanation and objections hence forcefully evicting them. The two pastors' families and their property/luggage were thrown out to the road/street.

On 22nd August 2017, the pastors' appealed to the Court of Appeal and the Court issued its verdict stating that, the two plots (527 – square 3/6 and 514 – square 3/6 at Mulazmein Neighborhood) were not subject to the Court order issued by Omdurman Centre. However, the complainant (investor) appealed to the Federal Court of Appeal and on 3rd December 2017, the Federal Court overturned the ruling of the State Appeal Court. The pastors further appealed to the High Court.

By the time of publishing this report, the high court has not yet made its ruling on the matter.

2.3.4 Sudan government intervenes in Christians' worship



The arrested church's leaders



The supporters at the court yard

On 22nd October 2017, Public Order Police arrested five Christian leaders from Christ Church in Elthawra of Omdurman. This incident (arrest) came after the police had forcefully obstructed church members from worshipping.

Since 27th May 2017, there was an agreement between the executive committee and the opposing group in the Christ church on the manner in which worship time was constituted for each. The executive committee is the elected committee by the church's followers while the opposition group is associated to the ministry of religious affairs which consists of five pastors with other followers.

On Sunday 22th October 2017, church members gathered for prayers at Christ church in Althawra (29) at the agreed time but they were locked outside by the police. The police blocked them on grounds that, there was a resolution issued by the Ministry of Endowment and Guidance (appendix – 6) rejecting the agreement and ordering members of this church to worship under the nominated pastor by opposing group. The church members together with their pastors remained on the church yard up to the time when the opposing group came and opened the church. Then, the two groups entered the church and worshipped separately. At 1:00 PM, soon after prayers, a police officer from Althawra police station ordered five church leaders including executive committee

members to report to the police station. Upon their arrival, the police officer filed a case against them under article 77 of Sudan Penal Code - 1991 (Public nuisance) and detained them.

The names of arrested church leaders;

1. Pastor/ Ayoub Telian, the president of the executive committee of Sudanese Christ church.
2. Pastor/ Ali hakim, the sponsor of Elthawra (29) Christ church.
3. Pastor/ Imbrator Hamad Badur.
4. The missionary/ Mr. Habeil Ibrahim Eltahir.
5. Mr. Abdelbagi Tutu Korey, member of the executive committee of Sudanese Christ Church.

They were released on the same day at 10:00 PM on police bond (bail) and a court trial was scheduled and conducted on 31st October, 15th and 21st November 2017 in Althawra court. All the five church leaders who were earlier arrested attended the trial sessions on the scheduled dates while the complainant/ plaintiff (the policeman) was absent in all which averts justice and court proceedings. One of the defendants' lawyers informed **HUDO** that the judge offered an arrangement (deal) of discharging the case if the five defendants agreed by signing not to act in the same manner. The offer was rejected by the defendants.

On the last court session of 21st November 2017, a legal consultant appeared in the court with a written letter from Attorney General requesting the judge to hand over the case file. The judge obliged with the order basing on article (58/1) of the criminal procedure law 1991. Since then there had been no proceedings about the matter.

2.3.5 More religious violations

- On 17th July 2017, the Sudanese authority demolished Angola Catholic School in Omdurman without giving a justifiable reason. The school has got five hundred (500) students and some of them have failed to get alternative schools.
- On 24th July 2017, the ministry of education in Khartoum State issued an order citing that, the weekend holidays are Friday and Saturday only denying the

church based schools Sunday holiday. The order was opposed by the Christians in the general public but the government authorities ignore it.

- Usually before Christmas, the Muslim fundamentalists (radicals) in Sudan conduct public talks and distribute posters in Khartoum mobilizing people against Christmas and New Year celebrations. They justify that, those are days for non-believers and should not be celebrated. They continuously do it and there is no official reaction from government



Picture showing the posters on wall

- The Sudanese Christians were denied leave/ holidays for Christmas and Easter celebrations yet it was given to Eastern and Western⁷ Christians in Sudan (Appendix- 7).

⁷ Eastern and Western Christian are the Coptic, Syrians and other who lives in Sudan.

2.4 Other violations

2.4.1 Series of attacks by Police to Agabna's house

On 25th May 2017, the Community's Security Police (CSP) headed by an officer at the rank of major attacked Agabna's house at Aldaim neighborhood in Khartoum and beat/assaulted whoever was present there. Severe injuries were inflicted to the following people;

- 1) Mrs. Zainab Ali Senay, 65 years old, mother. Injuries in her abdomen and different part of her body.
- 2) Mr. Aasim Agabna, 30 years old. His right leg was fractured, his eye affected and severe pain in the groin area (loins).
- 3) Ms. Nuha Agabna, 23 years old. Her eye and different injuries in other body parts.
- 4) Ms. Nasreen Agabna, 21 years old. Her right eye and different injuries in other body parts.

The assault victims tried to open a case but again police could not allow them yet there is an order from the prosecutor.

On 6th January 2017, at 06:50 pm nine CSP personnel, headed by an officer (first lieutenant) attacked again Agabna's house. While the family gathered together for coffee, the police entered the house, when Monzir Agabana asked them the inspection permit, they replied that "*it was not there*" and they started beating family members. The neighbors came to help when they heard the screaming. As a result of the attack the following were wounded;

1. Monzir Agabana, 25 years, injured on the right leg.
2. Nasra Agabana, 30 years, injured on the left leg.
3. Maha Agabana, 33 years, wounded under eyes and on the right shoulder.
4. Aisha Abdelgani Agabana, 25 years, wound on the right hand and left shoulder.
5. Zahara Agrof Kasay, 70 years, wounded on the right arm.

They were taken to the nearest hospital by Hassanain Agabana, 44 years, who came soon after the accident took place. Repeatedly the case was denied by police to be opened.

However there were previous attacks in 2016, those were on:

On 20th March 2016, Lieutenant/ Abdelmoneim Saeem had come to Agabna's house with a troop from CSP and the found only Nasreen Agabna on sickbed after a surgical operation was done to her, they assaulted her. The family submitted a plea to the prosecutor and he order police to open a case against the attaching group but police could not open the case.

On 18th May 2016, the troop of Community's Security Police (CSP) headed by the lieutenant/ Abdelmoneim Saeed assaulted a child girl/ Awadeeya Nemairi Agabna, 15 years old, in her family house where they found her alone. The case was opened by her family at Child Protection police but no further investigation was held since then.

Case background

In 2012, Agabna's family member named Awadia Agabana was murdered by CSP officer/ Osama Ahmed Abdalla who shot her dead on her head while he was heading a troop targeting Agabna's house. On 2nd July 2013, the court trial had started and on 4th November 2014, the defendant was sentenced to death. Then the second day after the verdict (5th November 2014) seven hundred and fifty (750) police officers resigned reasoning that, the murder was committed while the defendant was doing his job. This court judgement was confirmed by the court of appeal on November 2016.

On 17th February 2017, the high court amended the verdict to five years in prison that he has completed and set him free. This caused a protest in the neighborhood of the deceased. The defendant is now back to his work at the ministry of interior and have been located in Kassala town in Traffic police.

On 2nd March 2017, the accusing lawyers objected to the amendment of the Supreme Court justifying their argument that, the court shouldn't set him free before completing

his sentence according to the verdict. The Supreme court has not given its ruling on the matter.

Since Awadia Agabana was murdered by police in 2012, the family has been targeted by the community's security police.

2.4.2 Breach of Civilian and child rights by police in Musalamia

On 17th July 2017, the troop of policemen stopped a civilian named; Magsoud and they tried to arrest him, reasoning that he was suspected to be drunk. He was stopped along the road at Alhilla Aljadeida neighborhood in Musalamia of Hassaheisa locality at Aljazeera state whereby most of the residents of this neighborhood are IDPs from Nuba Mountains.

Magsoud demanded for an arrest warrant but police went on to use coercive means and fired some bullets in the air which led residents to gather in support of Magsoud and this forced police to run away. After a while, a bigger group of police came and randomly arrested twenty (20) people among them was an underage girl of 17 years old called; Maria Ibrahim. She was beaten by seven policemen among them two were identified as; Ibrahim and Elbadri.

She was denied treatment but her mother later contacted a lawyer who forced police to send Maria for medical checkup. They later went to the medical facility with form 8 and the doctor prescribed some medicine for her but again police denied her the medicines.

After her release, Maria with her mother immediately submitted a plea to the prosecutor. The prosecutor called for investigations against the suspected policemen and sent the order to the same police office where she was detained. When they went to the police office, they discovered that the police officer responsible for investigations is the same policeman that assaulted her.

Maria with her mother were immediately detained in cell and ordered to cancel the case before the prosecutor or else they would remain in custody. Under such

pressure they agreed not to follow up the case. Police later released them and no further action was taken.

2.4.3 Public Order Police attacks civilians in Jebel Aulia

On 2nd August 2017, three trucks full of public order police personnel attacked Angola in Mayo neighbourhood in Jebel Aulia locality in Khartoum, in which most of its residents are IDPs from Nuba Mountains and living in shelter/ Rakoba under very poor conditions. The police/ attackers started shooting randomly and used a tear gas. The attack was meant to combat the alcohol makers in the area. Many people were injured and some are listed below;

- Jafar Khamies musa, 33 years old
- Samya Tutu Kamil Kafi, 27 years old, married and mother of four (4) children.
- Aisha Teya Mergani Bakheet, 40 years old, married and a mother of 9 children.
- Kamal Tutu Kamil
- Mogasama Tutu Barno
- Abuom Beair Dood
- Halima Kuku Albrish
- Others whose details were not fully given.

There was a case filed by Aisha Teya Mergani at Alyarmouk police office at Jebel Aulia locality but no investigation was held.

2.4.4 The death penalty /execution of Adam Eisa Agomey (Eidam)

On 3rd August 2017, the prison authorities in Elobeid executed Mr. Eidam without following the procedure. Usually all parties (two families) are invited for the possible reconciliation or to solve the issue of this judicial nature before execution which was not done in this case.

HUDO was informed through the accusation family that, they were not aware about this execution and that none of them was present.

Adam Eisa Agomey (Eidam) was arrested on 2nd February 2015 by MI Al-Abbasiya from Mabsout village and deported to El-Obeid military base where he

spent some months before he was taken back to Al-Abbasiya. At Al-Abbasiya a case of murder was filed under article 130 of Criminal Penal against of him and that the offence was committed during SPLA-N attack to El-moreib in 2011.

He was later sentenced to death in 2015 and his lawyer was murdered on the same days (though the murder wasn't related to this case). After the sentence, his family together with the tribe leader did their best to reconcile this issue with the family of the deceased (murdered). This is a practice according their customary laws between tribes in Al-Abbasiya. But, the MI intended to disrupt any kind of agreement between the families.

On 15th June 2016, the MI arrested his brother Muamar together with other two community leaders who were visiting the family of the deceased while they were in a discussion in which they agreed to harmonize and forgive.

The MI was determined to implement the death sentence on Agomey and intentionally ignored following the procedures.

2.4.5 Interrogation of Radio operators in BN by NISS

On 1st October 2017, the head of program/ Abduelhafeez Omer Ebaid and the program director/ Tariq Kuku of Blue Nile radio in Damazin were ordered by NISS to report to NISS office at Damazin. They reported and were interrogated by NISS about re- broadcasting a program called Clinic on-air (عيادة علي الهواء) which was recorded four (4) years back and it was about the spread of viral hepatitis in Madinah 10 by then. NISS has linked the re-broadcasting to the watery diarrhea⁸ that was going on. The two were released after some hours of interrogation.

⁸ Suspected to be cholera

2.5 Observation of Court Trials

2.5.1 Pastors' Trial



On 29th January 2017, Justice Dr. Osama M. Abdalla at Khartoum Centre court delivered his verdict (appendix – 8) in which the court found three of the defendants guilty while the fourth one was innocent and he was set free. The judgment was as follows:

First Defendant: Peter Jasek, life in prison

The Second Defendant: Pastor/ Hassan Abduelraheem Kodi, twelve years in prison

The Third Defendant: activist/ Abduelmoneim Abdalmwlla, twelve years in prison

The Fourth Defendant: Pastor/ Kuwa Shamal Abu Zumam, found innocent and was set free.

On 26th February 2017, the 1st defendant was released basing on the presidential pardon. It was a result of communication between the two states of Sudan and Czech Republic as well as the subsequent visit of Czech Republic's foreign affair minister to Khartoum, Sudan.

On 11th May 2017, Hassan Abduelraheem Kodi (the Pastor) and Abduelmoneim Abdalmwlla (the activist) were set free after a presidential pardon.

Case Background

There was a Christian conference held in Addis Ababa, Ethiopia between 17th and 23rd October 2015. The conference was about the situation of Christians in Sudan especially after cessation of South Sudan. Among those who attended the conference were thirty Christians from Sudan and South Sudan. Pastors Hassan and Kuwa were among the Sudanese participants. Pastor/ Hassan presented a paper about the kind of oppression Christians face from authorities in Sudan. It was during this conference that they met with Peter from Czech Republic among other people. Then later Peter had met Abduelmoneim while he was visiting Sudan in December 2015 when he was arrested. Other arrests went on up to March 2016 to include many other pastors and Christian leaders. In August 2016 the court trial started for those four defendants and it lasted for more than twenty sittings with the above mentioned verdict and consequences.

2.5.2 Court Trial (Proceedings) of Al-Sanadra Case



Al-Sanadra Village

Introduction

On 2nd Sept 2016, Public Defense Force (PDF) soldiers attacked Al-Sanadra village of Al-Abbasiya locality in South Kordufan state. They came with more than twenty motorcycles accompanied by two land-cruiser vehicles. The attack was based on a claim that some cattle were looted and the footsteps passed through Al-Sanadra village. As a result of the attack, nine (9) people were killed, about twenty (20) wounded and some houses were looted and burnt down. Also cattle were looted and many residents of Al-Sanadra were displaced. The authorities (state/security) first ignored the case but later considered it after much pressure and outcry from the public. The case was filed at Al-Abbasiya police office.

There was an attempt to conduct this court at Al-Abbasiya and then after at Um-Rawaba town. But the court proceedings could not take place due to tension and public anxiety. Because of insecurity, the lawyers' of the victims (the accusing panel) requested that the court sessions should be conducted in Khartoum and it was accepted (granted).

The proceedings/ sessions

The court trials began in August 2017 and by the time of writing this report, all court proceedings have been before Justice/ Abdeen Hamad Dhahi at Khartoum North court. So far, eleven (11) court sessions were held up to January 2018 and the accusing witnesses are still submitting their testimonies. The following officials were always available in court or represented; the prosecutor Mr. Mohamed Alsafi, the victims' lawyers (accusing panel) led by Mr. Baroud Sandal, the defendants' lawyers led by Mr. Elamein Ibrahim among others.

The investigator's submission

The investigator/ Mohamed Elamein stated that the case was reported on 2nd September 2016 by Ms. Manal Abdalla Suliman a daughter of one of the deceased/ victims and later the whole cases were merged and filed by Al-Sanadra village's Sheikh/ Mayor Mr. Babikir Abdalla Babikir who testified before court. Then the investigator submitted to court the following documents:

- Postmortem reports of the killed people
- Medical reports of the injured people of which some were rejected by the lawyers of the defendants because they were not stamped. The Judge advised that the rejected medical reports should be presented by issuers (medical personnel).
- A sketch map showing the site (location) of the incident (Al-Sanadra village) which was drawn by the policeman/ Mohamed Tom and Al-Sanadra village's Sheikh/ Mayor.
- A list of the looted items which was assessed and valued at one hundred fifty eight thousand and two hundred twenty five Sudanese pound (158,225 SDG). By the time of the attack, it was approximated to be an equivalent of thirty thousand USD (\$30,000).
- Capsules of used ammunition that were found at the scene of incident, seven (7) for Kalashnikov (AK-47) and twelve (12) for machine-gun.
- A medical report approving that, the first defendant/ Hassan Ramadan is 15 years old (under age).

The investigator further informed court that, the four (4) goats which were found/ caught with the first defendant were taken back to the owner. Also he informed court about the dates on which each defendant was arrested.

The investigator informed court that, the exhibit of four guns /weapons which were handed to the military in Al-bbasiya after a request letter from the investigator, belonged to the following defendants; Al-sadiq Mohammed Rahma, Alhadi Abdelrahman Ibrahim, Alzaki Saleh Alzaki and Abakar Fadelmowla Suliman. However, the victims' lawyers questioned the motive of the military in presenting only four (4) guns to court as exhibits yet the armed defendants were many. Also, the military's intention of submitting the four guns (exhibit) on 30th Jan- 2017, one month after receiving the investigator's letter on 29th Dec. 2016.

The outcome of investigator's cross examination

- The PDF commandant in Al-Abbasiya is Captain/ Ali Babikir and the PDF co-ordinator is Mohammed Saeed.

- The defendants committed the offence on their own without official order
- According to the witnesses, the defendants were more than thirty people with more than twenty motorbikes and armed with AK-47 guns. But they denied having any motorbikes.
- The killed people were eight (8) in number and the injured were thirteen (13) people. All the injuries and deaths were caused by gun shots.
- All the defendants are from the tribes of Messairya and Falata/ Fulani
- No one among the attackers/ defendants was injured during the incident.
- The first defendant (juvenile) is not a member of PDF

According to the investigations and witnesses' interrogation, the investigator recommended to court to charge the defendants under the following articles in Sudan criminal penal 1991:

- Article (20): Penalty of attempt to commit an offense
- Article (21): Join acts in execution of criminal conspiracy.
- Article (130): Murder.
- Article (139): Penalty for causing intentional wounds.
- Article (175): Robbery.

The summary of Testimonies

Fourteen (14) accusing eyewitnesses have so far submitted their testimonies before court and more other witnesses are still coming. Among the witnesses, there were residents and community leaders who were affected by the incident (attack). The witnesses recognized some of the defendants that had been part of the attackers who killed people.

Testimonies from other witnesses who were cross examined during the different court sessions:

- Al-Sanadra is seven Kilometers (7km) from Al-Abbasiya and that most of its inhabitants are from Tagali tribe/ Nuba.
- Al-Sanadra incident/attack took place at about 08:00 AM on 2nd September 2016.

- The village Mayor had sought for help (intervention) by calling (via phone) the Al-Abbasiya governor and NISS Al-Abbasiya. This was soon after the first bullet was shot but nothing happened. Nevertheless, the governor was informed a day before the incident about the gathering of the attackers.
- All the attackers were members of PDF and majority of them were from Arab tribe/ Messairya.
- The number of attackers ranged between one hundred (100) to one hundred fifty (150) people.
- Al-Sanadra residents had earlier been displaced to Al-Abbasiya for three months in 2015 before they returned back.
- The witnesses recognized in person (know) and named some of the defendants.
- Most of the attackers were dressed in PDF uniform and others in civilian clothes and most were armed with AK-47 guns.
- The Al-Sanadra residents did not fight back or shoot and they were not armed
- There were two Toyota land-Cruiser vehicles whereby one of them had a machine-gun mounted on and it was used at the end of the attack.
- There was looting of some shops during the attack and more than two hundred sheep were taken.
- The duration of the attack was approximately one and half hours (1:30 hrs.).
- All the victims were not armed.
- No SPLA-N member at Al-Sanadra village and that Al-Sanadra is free of any rebellion activities.
- The SPLA-N base at Tassay Mountain is about 15 km to 20 km from Al-Sanadra and there are many villages in between like, Kalenda, Aldamra, Fashouda and Algebailat.
- The attackers deformed some of the dead bodies.
 - Awad was killed and they put his finger in his mouth after cutting it.
 - The right ear on Saoudi's body was cut off after killing him

The list of defendants

The defendants' names extracted from the investigator's minutes. Those recognized by the witnesses are in **bold** letters.

1. Hassan Ismail Ramadan, 14 years old, illiterate and a resident of Al-Abbasiya town.
2. **Ahmed Jazim Hamid Gebreil**, 34 years old, married resident of Al-Abbasiya town and a member of Popular Defense Forces (PDF).
3. Saied Abdalla Al-Saied Mustafa, 30 years old, married, resident of Al-Abbasiya town and Sudan Armed Forces (SAF) soldier.
4. **Ahmed Al-Tayeb Al-Zain Al-khair**, 38 years old, married, illiterate, resident of Al-Abbasiya town and a member of Popular Defense Forces (PDF).
5. **Al-sadiq Mohammed Rahma**, 45 years old, married, illiterate, resident of Al-Abbasiya town and a member of Popular Defense Forces (PDF).
6. **Bardab Mohammed Abakar**, 30 years old, married, illiterate, resident of Al-Mowaileh village, farmer/cultivator and a member of Popular Defense Forces (PDF).
7. **Osman Mohammed Osman Abdurrahman**, 40 years old, married, illiterate, resident of Al-Mowaileh village and a member of Popular Defense Forces (PDF).
8. **Alhadi Abdelrahman Ibrahim Almahdi**, 34 years old, married, illiterate resident of Al-Abbasiya town and a member of Popular Defense Forces (PDF).
9. **Ahmed Abdelgadir Salah Mohammed**, 38 years old, married, illiterate, resident of Al-Abbasiya town and a member of Popular Defense Forces (PDF).
10. **Abdelraheem Abdelgadir Salah Mohammed**, 22years old, illiterate, resident of Almasan village and member of Popular Defense Forces (PDF).
11. **Alzaki Saleh Alzaki Mohammed**, 40 years old, married, illiterate, resident of Al-Abbasiya town and a member of Popular Defense Forces (PDF).
12. **Hamid Almanzol Ahmed Hamouda**, 39 years old, married, resident of Rashad and employed with ministry of agriculture.
13. **Abakar Fadelmowla Suliman**, 45 years old, married, a member of Popular Defense Forces (PDF) and a farmer/cultivator.

14. Saleh Ibrahim Elamein Mohammed, 25 years old, married, illiterate and a member of Popular Defense Forces (PDF).

15. **Mohammed Nasreldin Daoud**, 27 years old, married, illiterate, a member of Popular Defense Forces (PDF) and a trader

Names mentioned by the witnesses but not among the defendants presented before court;

- Nematalla Babikir,
- Mussa Mohammed Abdelkarim,
- Saleh Joudat,
- Alkar

Appeals / Petitions

During the proceedings of court, some appeals were made by the lawyers from either party due to discontent on procedures and the law.

Complaint/Protest by the Lawyers of the Victims; On 23rd August 2017, the victims' lawyer Mr. Kamal Abdalla Hussein complained to the Justice/Judge that all defendants are not in prison and that they went back to Al-Abbasiya. He informed the judge that, this is an act of provocation to the victims' relatives. In response, the justice/Judge issued an arrest warrant for all of them and ordered that they should be detained at the military prison and that the arrest should be implemented by the military court.

Complaint about the prisoner's escape; The victims' lawyer Mr. Baroud informed court that, the military court did not implement the court order of detaining all the defendants and that as a result one defendant had escaped. The tenth (10th) defendant Abdelraheem Abdelgadir had escaped from the cell. The judge/justice called in SAF's commander (1st lieutenant) who brought the defendants to court to confirm the escape of the tenth (10th) defendant of which he did confirm. Mr. Baroud requested court to issue another order of confining all the defendants at Kober prison. Subsequently, the judge gave the following orders;

- That all defendants must be confined in Kober prison

- That the commander (1st lieutenant) should inform court through the official military investigations the circumstances under which the tenth (10th) defendant escaped
- Instructed the court secretary to write to the military court informing them that they did not implement court orders repeatedly which led to the escape of a defendant.

The military's legal consultant/ Yasir Abdelwakeel objected that SAF soldiers should not be detained at Kober prison because Kober prison is not a military prison. He vowed to file an objection in the Court of Appeal.

The Court of Appeal made its ruling whereby the lawyer's (military's legal consultant) objection was overruled.

2.6 Recommendations

- Both government and SPLA-N to keep on the ceasefire.
- The government of Sudan should lift the state of emergency imposed on SK and BN states and enforces the rule of law.
- We urge Sudan government to stop killing civilians based on their religion, ethnic, political background or geographical aspect.
- The international community should put more pressure on Sudan government in order to amend the laws that give impunity to NISS and Sudan armed forces and to allow the freedom of speech.

3 Section Three: Appendices

3.1 Appendix – 1: American Embassy in Khartoum extend their condolences



3.2 Appendix – 2: Statement by Sudanese Christ Church

The head quarter of the Sudanese church of Christ

The statement number (1)

Protest against the systematic violations of Christians' religious freedoms, including the recent demolishing of the Christ church in Suba

Jesus said:

(And you shall know the truth, and the truth shall make you free)

John 8:32

Dear brothers and sisters in, you will have noticed in the recent years the bad situation that the Church is experiencing in Sudan, especially the Christ Sudanese Church. The followings are some examples:

- 1- The followers of the Sudanese church of Christ(SCOC) have been experiencing hard conditions over the past recent years, exemplified in restrictions on their worship and prayers through impeding the allocation or ownership of piece of land in all Sudan's states. All the endeavors to allocate a piece of land for worship or prayers were in vain, and the only way that Christians resorted to was buying a piece of land from their own money and allocating it for their worship and prayers. It is worth mentioning that even those lands which were owned by Christian's money were not free from restrictions, for instance rejection to complete the land registration process or confiscating the lands' documents, and this constituted the violation of the article 6 of the Sudan's Interim Constitution on religious freedoms, and other regional and international human rights treaties ratified by Sudan, and which clearly states that (believers of any religion shall be granted the right of land ownership for the purpose of their worshipping and manifesting religious rituals). The state has an

obligation to promote and protect these constitutional rights through enacting domestic laws and not violating the rights and freedoms of its citizens.

- 2- The(SCOC) was subjected to offensive confiscations of its properties, for example, on 21 March 2016, the National Intelligence and Security Services (NISS), (Social Security Unit), confiscated a bag that includes documents for 15 pieces of lands belongs to the Church, the confiscation was arbitrary without following any legal procedures. The Church was patient and waited for a while, giving chance to (NISS) to reconsider its position but no positive outcome, this act amount to the violation of article 43/2 of the Sudan's Interim Constitution 2005, which states that (private properties are not subject to confiscations unless based on law and for the purpose of the public interest with provision of fair and immediate compensation Moreover, no private properties shall be subjected to confiscation without the court verdict).

The (NISS) has also confiscated the passports of the chairman of the (SCOC), the secretary general and his deputy, the deputy chairman of the district council of Om-Budda, and the director of evangelism office,(NISS) refused to return these passports except the one belongs to the chairman of the Christ Church, this act constitutes a clear violation to the freedom of movement that enshrined in the international and regional human rights treaties ratified by Sudan and incorporated in the constitution according to article 27/3.

- 3- Dear brothers, you will have also realized that what happened to the (SCOC) Suba last week is similar to acts that the Church had experienced in 2014, in which the same force (protection of government's lands unit) demolished the (SCOC) in Al Ezba area, block 19 without consideration to the plea made by the administration of the church and the popular committee of the area to the land authorities requesting them to suspend the implementation of the decision of demolishing the church, because it exists since 1983 and no other alternative in the area. Up to the moment, no compensation provided to the church as well as no alternatives made, and the believers pray in the open yards.

On 21 June 2016, the general director of the land authority issued an order Number 214/2016, ordering the demolishing of 25 church in Bahri and Sharg Elneel areas, including two churches belong to (SCOC) in Albashir block 2 and Dar Al Salam block 5. Before recovering from the shock of this abusive order, we were surprised again on 7 May 2017, once again the same forces (the protection of government's lands unit of the Ministry of planning and infrastructure development of the Khartoum state), and without a prior notice demolished the (SCOC) in Suba area, block 7. It is worth noting that the day in which the Church was demolished is the day of the prayers, and it was humiliating enough for the believers, furthermore, must the holy books and the properties were destroyed inside the church during the demolishing process, causing big financial damages without being compensated. During the demolishing process, two members of the church (the head of the youth and other) were detained and released later.

Dear brothers and sisters, we as a headquarter of the Sudanese church of Christ, we feel deeply sorry as well as we strongly condemn these abusive procedures against the holy places, and we hold the (NISS) responsible for the damages and other consequences can be caused due to their confiscation of the documents, we also hold the land authorities of the Ministry of the planning and infrastructure development of the Khartoum state responsible for the attacks against the church and the financial damages caused.

We also direct our plea to the national, regional, and international human rights institutions to intervene and put an end to these violations.

We call for an urgent intervention from the presidency to handle all these misconducts through taking the following measures:

- Allocate all the land owned by the church and giving a clear directions to the respective authorities in order to complete its registration under the church name, and guaranteeing

Christians their constitutional right to own land in all Sudan's states.

- Giving a direction to the NISS to return all the arbitrarily confiscated documents, whether land ownership documents or travel documents, and prevent the NISS from any future attempts to violate the Christians rights.
- Ordering the ministry of the planning and infrastructure development of the Khartoum state to complete the registration of the two Christ church in Suba and Al Ezba, and providing fair compensation for all the damages caused.

Jesus said:

((Love is patient, love is kind. It does not envy, it does not proud. It does not dishonor others, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil but rejoices with the truth. It always protects, always hopes, always preserves. Love never fails))

1Corinthians 13:4-8

3.3 Appendix – 3: Designations under the International Religious Freedom Act of 1998

Designations Under the International Religious Freedom Act of 1998

Share

Press Statement

Heather Nauert

Department Spokesperson

Washington, DC

January 4, 2018

In far too many places around the globe, people continue to be persecuted, unjustly prosecuted, or imprisoned for exercising their right to freedom of religion or belief. Today, a number of governments infringe upon individuals' ability to adopt, change, or renounce their religion or belief, worship in accordance with their religion or beliefs, or be free from coercion to practice a particular religion or belief.

In accordance with the International Religious Freedom Act of 1998, the Secretary of State annually designates governments that have engaged in or tolerated systematic, ongoing, and egregious violations of religious freedom as "Countries of Particular Concern". Today, the Department of State announces that the Secretary of State re-designated Burma, China, Eritrea, Iran, North Korea, Sudan, Saudi Arabia, Tajikistan, Turkmenistan, and Uzbekistan as Countries of Particular Concern on December 22, 2017. The Secretary also placed Pakistan on a Special Watch List for severe violations of religious freedom.

The protection of religious freedom is vital to peace, stability, and prosperity. These designations are aimed at improving the respect for religious freedom in these countries. We recognize that several designated countries are working to improve their respect for religious freedom; we welcome these initiatives and look forward to continued dialogue. The United States remains committed to working with governments, civil society organizations, and religious leaders to advance religious freedom around the world.

3.4 Appendix – 4: Requesting an order to demolish twenty five churches



ولاية الخرطوم
جهاز حماية الأراضي الحكومية والبيئة والطرق وإزالة المخالفات



التمرة : 1/38
التاريخ: 2016/6/15م
السيد/ مدير عام مصلحة الأراضي

٢٤
٢٦٦/١١٩

الموضوع/ الكنائس المتعدية على القطع السكنية والميادين العامة بمناطق شرق النيل
(البركة - دار السلام الجديدة - البشير - التكامل)

الرجع:
- توجيه السيد/مُعتد محلية شرق النيل الخاص بحصر الكنائس العشوائية بالمحلية.
بالإشارة للموضوع أعلاه، وحسب الزيارة الميدانية المشتركة التي تمت لمواقع الكنائس القائمة بمريعات البركة ودار السلام الجديدة والبشير والتكامل برفقة مندوب الأراضي ومهندس المساحة وجهاز الأمن نفيدكم بأن التعدي عبارة عن :
- عدد (25) كنيسة منها عدد (3) كنائس في الميادين العامة والمتبقي في قطع سكنية كما هو مبين بالكشف المرفق.
- للتكرم بإصدار قرار الإزالة

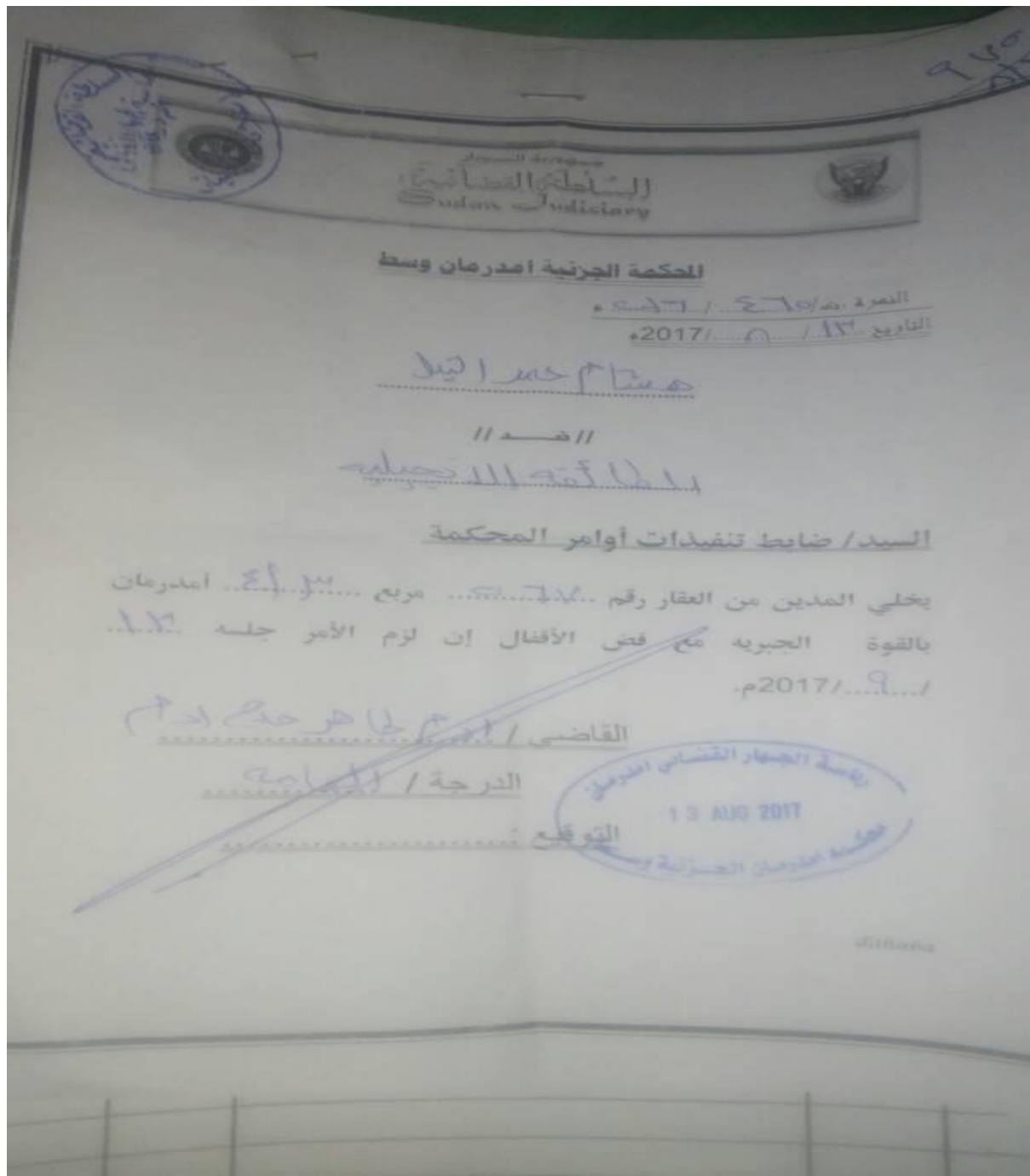
ولاية الخرطوم
الفريق بركة ه. عبد الحميد مصطفى أحمد
مدير عام مصلحة الأراضي الحكومية وإزالة المخالفات

مرفقات:
-الكشف

The letter was written on a headed paper / letter head of the government's unit/ agency in charge of land protection, environment, roads and demolition breaches in Khartoum state and it was stamped and signed by the manager of this unit.

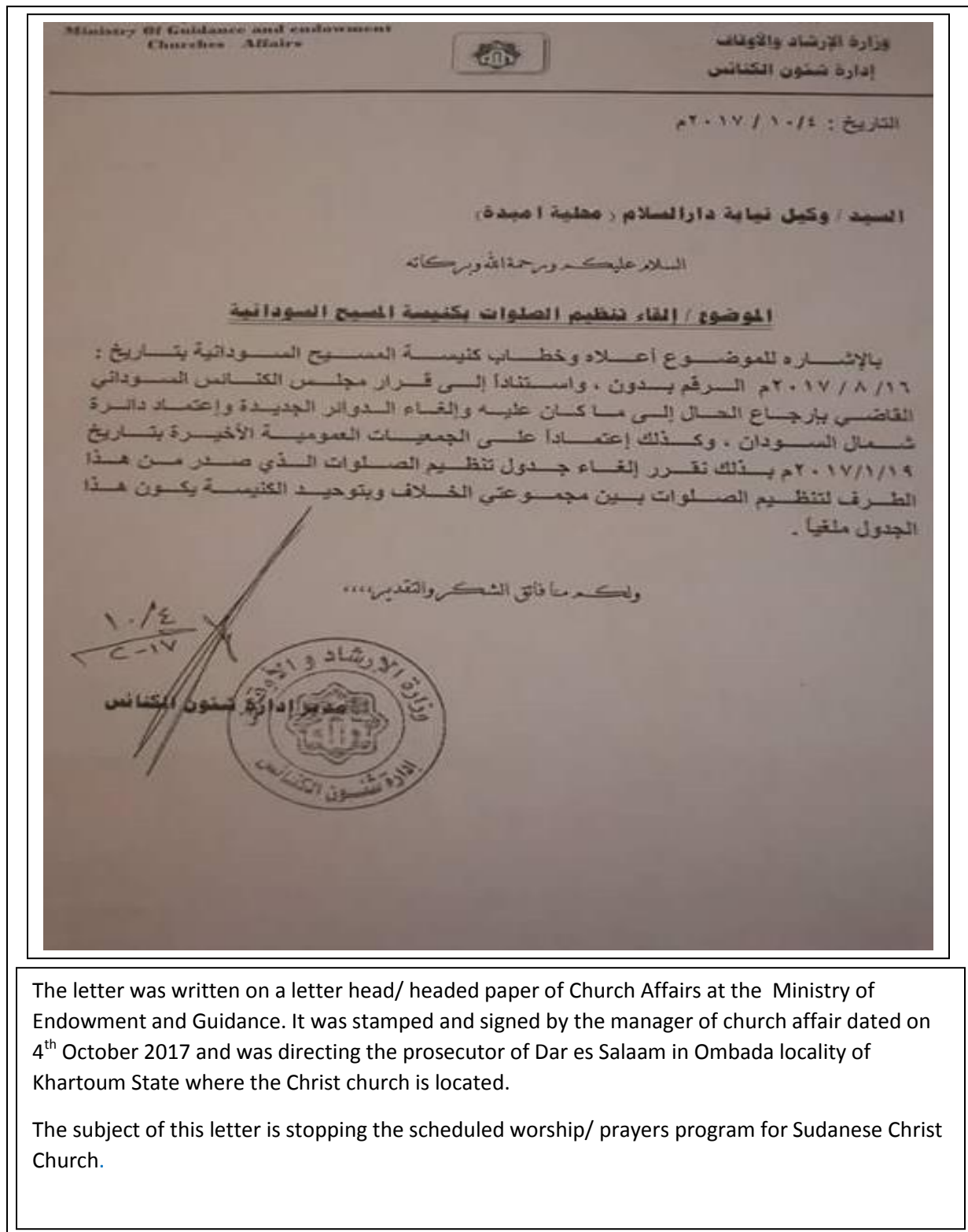
He directed the letter to the general manager of land authority requests him for permission to demolish twenty five churches that had been found by the committee (consist of land authority representative, survey engineer and NISS) that, three of them breached by encroaching on open yards and the rest on housing/ residential lands. Dated on 15th June 2016

3.5 Appendix – 5: Eviction Order



It is a court order signed on 13th August 2017 and stamped by Justice/ Adam Tahir of Omdurman Centre Court. It was written on the court's headed paper instructing the concerned authority to implement the court order by evicting the occupants on building No 567 – 3/4

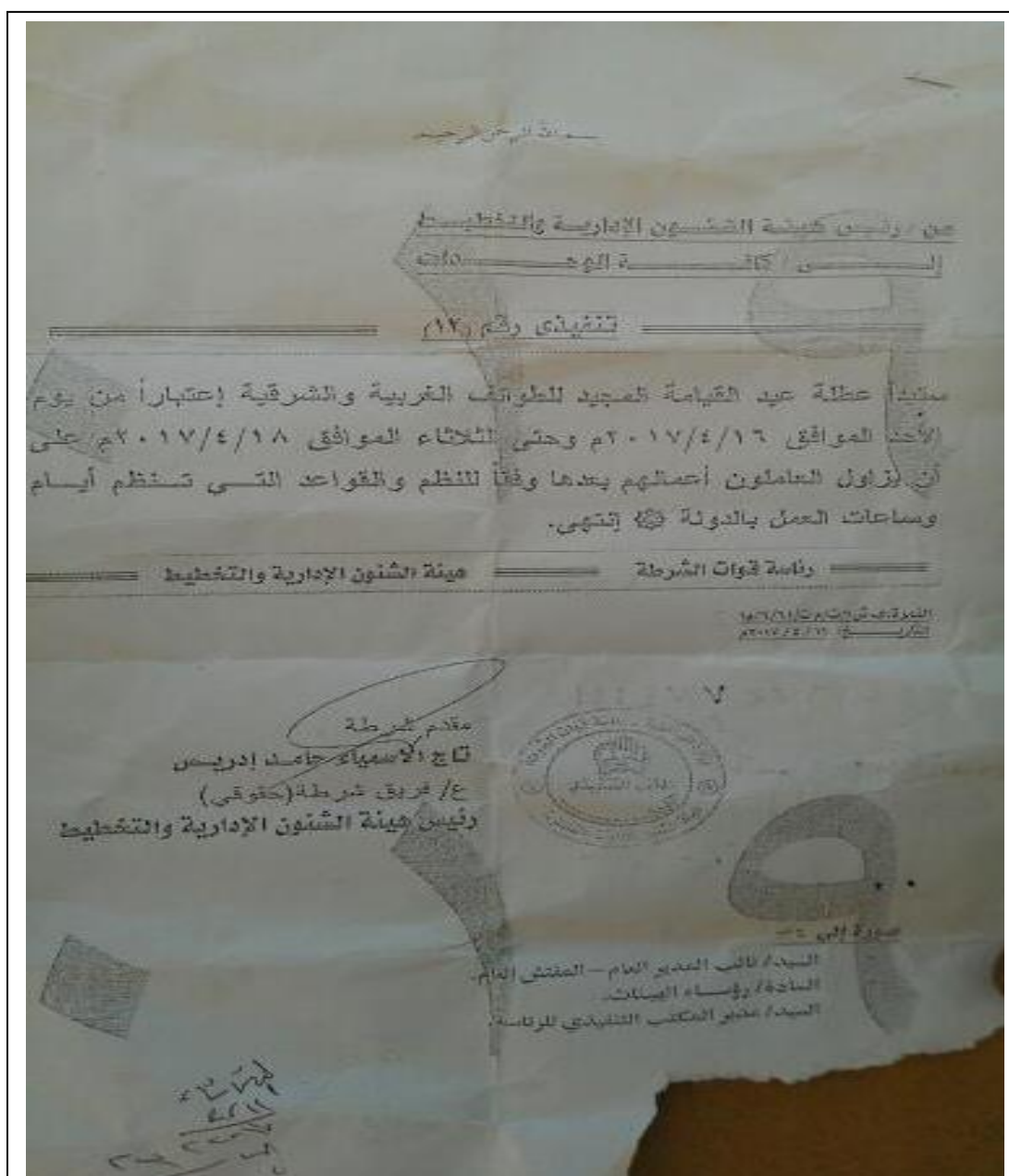
3.6 Appendix – 6: The Ministry Intervenes in Christians worship



The letter was written on a letter head/ headed paper of Church Affairs at the Ministry of Endowment and Guidance. It was stamped and signed by the manager of church affair dated on 4th October 2017 and was directing the prosecutor of Dar es Salaam in Ombada locality of Khartoum State where the Christ church is located.

The subject of this letter is stopping the scheduled worship/ prayers program for Sudanese Christ Church.

3.7 Appendix – 7: Police allowing eastern and western Christian Easter holidays



The letter is internal message/memo/ statement within Police High quarter Administration. The letter issued by the head of administration affairs and planning department to all units in police instructing them to give three days leave (16th to 18th April 2017) as Eastern holidays for eastern and western Christian sects

The letter was signed by Lieutenant colonel on behalf of the head of administration affair and planning

3.8 Appendix – 8: The court charges against Pastors



جمهورية السودان
الجهاز القضائي الخرطوم

محكمة جنائيات الخرطوم وسط

صورة حكم جنائي

محكمة / جنائيات الخرطوم وسط

قضية جنائية رقم / غ / ١ / مؤيد / ٢٠١٧ م

الشاكي / كمال الطاهر / جهاز الأمن والمخابرات

المتهم / ١ - بيتر باشك / ٢ - حسن عبد الرحيم كودي / ٣ - عبد المنعم عبد المولي عيسى

الأمـر:

١. المتهم/بيتر باشك:-

١/ السجن المؤبد (عشرون عاماً) اعتباراً من تاريخ دخوله الحراسة يوم ٢٠١٦/٤/١٧ م لمخالفة (٥٣) ق.ج لسنة ١٩٩١ م.

٢/ السجن لمدة سنة لمخالفة المادة (٥٧) ق.ج لسنة ١٩٩١ م.

٣/ السجن لمدة سنة لمخالفة المادة (٦٤) ق.ج لسنة ١٩٩١ م.

٤/ السجن ستة شهور لمخالفة المادة (٦٦) ق.ج لسنة ١٩٩١ م.

٥/ السجن لمدة سنة لمخالفة المادة (٣٠) من قانون جوازات السفر والهجرة لسنة ١٩٩١ م.

٦/ الغرامة (١٠٠) ألف جنيه لمخالفة المادة (٢٣/٨) من قانون العمل الطوعي والإنساني وفي حالة عدم الدفع السجن ستة شهور.

٢/ المتهم /حسن عبد الرحيم كودي:-

١/ السجن (١٠) سنوات لمخالفة المادة (٢٦) من القانون الجنائي لسنة ١٩٩١ م اعتباراً من تاريخ دخوله الحراسة ٢٠١٦/٥/١٦ م.

٢/ السجن لمدة سنة لمخالفة المادة (٦٤) ق.ج لسنة ١٩٩١ م.

٣/ السجن لمدة سنة لمخالفة المادة (٦٦) ق.ج لسنة ١٩٩١ م.

٤/ تسري عقوبات السجن بالتتابع.

٣/ المتهم/عبد المنعم عبد المولي عيسى:-

١/ السجن (١٠) سنوات لمخالفة المادة (٢٦) من القانون الجنائي لسنة ١٩٩١ م اعتباراً من تاريخ دخوله الحراسة ٢٠١٦/٥/١٣ م.

٢/ السجن لمدة سنة لمخالفة المادة (٦٤) ق.ج لسنة ١٩٩١ م.

٣/ السجن لمدة سنة لمخالفة المادة (٦٦) ق.ج لسنة ١٩٩١ م.

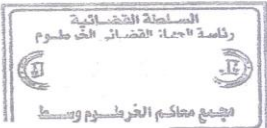
٧/ تسري عقوبات السجن بالتتابع.

صدر تحت توقيعي بمحكمة جنائيات الخرطوم وسط في اليوم ٢٩ شهر ١ سنة ٢٠١٧ م

التوقيع

اسم القاضي / د. أسامة أحمد عبد الله

الدرجة / العامة



السلطة القضائية
رئاسة «جما» القضاء الخرطوم

الجميع معاكم الخرطوم وسط

(تفراج @)

This is the official court verdict statement against the pastors and activist. It is issued on the headed paper (letter head) of Khartoum Centre Court, signed by Justice/ Judge Dr. Osama Ahamed and stamped by the court stamp.

The verdict gives details in a descriptive way linked to articles breached (according to the court) for each of the defendants.

Dated on 29th January 2017